

CHRISTOPHER J. CHRISTIE  
United States Attorney  
LEAH A. BYNON  
Assistant U.S. Attorney  
970 Broad Street, Room 700  
Newark, NJ 07102  
(973)645-2736  
LAB0321

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**UNITED STATES OF AMERICA,**

*Plaintiff,*

v.

**PETER CRICKELLAS, D.P.M. ,**

*Defendant,*

and

**ELIZABETH BOARD OF EDUCATION,  
and its successors or assigns,**

*Garnishee.*

**HON. DICKINSON R. DEBEVOISE**

**CIVIL ACTION NO. MISC. 03-11**

**APPLICATION AND ORDER FOR  
WRIT OF CONTINUING  
GARNISHMENT**

The United States of America, plaintiff, makes this application in accordance with 28 U.S.C. § 3205(b)(1) to the Clerk of the United States District Court to issue a Writ of Continuing Garnishment upon the judgment entered against the Defendant Peter Crickellas, D.P.M. , social security number \*\*\*\*\*9669, whose last known address is: Springfield, NJ 07081 in the above cited action in the amount of \$201,099.34, plus costs and post-judgment interest at the rate of 1.38% per annum and compounded annually. A statutory surcharge of \$24,099.80 is also due the United States in accordance with 28 U.S.C. §3011.

The total balance due and owing as of September 8, 2008 is \$240,998.08 exclusive of surcharge.

Demand for payment of the above-stated debt was made upon the debtor not less than 30

days from September 8, 2008, and debtor has failed to satisfy the debt.

The Garnishee is believed to owe or will owe money or wages to the judgment debtor. More specifically, the Garnishee is the employer of the defendant, Peter Crickellas, D.P.M. , and its successors or assigns. This Writ of Continuing Garnishment is intended to compel the Garnishee to pay to the United States twenty-five percent (25%) of the disposable earnings of defendant, Peter Crickellas, D.P.M. , pursuant to 28 U.S.C. § 3002(9).

The name and address of the Garnishee or his authorized agent is:

Elizabeth Board of Education  
500 North Broad Street  
Elizabeth, NJ 07208


Based upon the foregoing, the United States respectfully requests the Court to enter an Order directing the Clerk of the United States District Court to issue a Writ of Continuing Garnishment.

CHRISTOPHER J. CHRISTIE  
UNITED STATES ATTORNEY

By:   
LEAH A. BYNON  
ASSISTANT U.S. ATTORNEY

IT IS, on this 24<sup>th</sup> day of Sept., 2008,

**ORDERED**, that the Clerk of the Court shall issue the Writ of Continuing Garnishment.

  
HON. DICKINSON R. DEBEVOISE  
UNITED STATES DISTRICT COURT

CHRISTOPHER J. CHRISTIE  
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**CIVIL ACTION NO. MISC. 03-11**

**WRIT OF CONTINUING  
GARNISHMENT**

GREETINGS TO: Elizabeth Board of Education  
500 North Broad Street  
Elizabeth, NJ 07208

An application for a Writ of Continuing Garnishment against the property of Peter Crickellas, D.P.M. , defendant, has been filed with this Court. A judgment has been entered against the above-named defendant in the amount of \$201,099.34, plus costs and interest, computed through September 8, 2008.

You are required to begin withholding in accordance with this garnishment from the date you were served with these papers.

You are required by law to answer in writing, under oath, within ten (10) days, whether or not you have in your custody, control or possession, any property owned by the debtor, including non-exempt, disposable earnings.

Please state whether or not you anticipate paying the debtor any future payments and whether such payments are weekly, bi-weekly or monthly.

You must file the original written answer to this writ within ten (10) days of your receipt of this writ with the United States District Clerk at: Federal Courthouse, . Additionally, you are required by law to serve a copy of this writ upon the debtor and upon the United States Attorney, 970 Broad Street, 7th Floor, Newark, NJ 07102.

Under the law, there is property which is exempt from this Writ of Continuing Garnishment. Property which is exempt and which is not subject to this order is listed on the attached Claim for Exemption form which is attached to the Clerk's Notice of Garnishment.

Pursuant to 15 U.S.C. §1674, Garnishee is prohibited from discharging the defendant from employment by reason of the fact that his earnings have been subject to garnishment for any one indebtedness.

If you fail to answer this writ or withhold property in accordance with this writ, the United States of America may petition the Court for an order requiring you to appear before the Court. If you fail to appear or do appear and fail to show good cause why you failed to comply with this writ, the Court may enter a judgment against you for the value of the debtor's non-exempt property. It is unlawful to pay or deliver to the defendant any item attached by this writ.

DATED: 9/30/08

By: James L. Nelson  
WILLIAM T. WALSH  
UNITED STATES DISTRICT COURT CLERK  
DEPUTY CLERK

CHRISTOPHER J. CHRISTIE  
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**HON. DICKINSON DEBEVOISE**

**CIVIL ACTION NO. MISC. 03-11**

**CLERK'S NOTICE OF GARNISHMENT**

You are hereby notified that the non-exempt earnings are being taken by the United States of America which has a Court judgment in Civil Action No. MISC. 03-11 in the sum of \$201,099.34. A balance of \$240,998.08 remains outstanding exclusive of the surcharge.

In addition, you are hereby notified that there are exemptions under the law which may protect some of the property from being taken by the Government if Peter Crickellas, D.P.M. can show that the exemptions apply. Attached is a summary of the major exemptions which apply in most situations in the State of New Jersey.

If you are Peter Crickellas, D.P.M. you have a right to ask the court to return your property to you if you think you do not owe the money to the Government that it says you do, or if you think the property the Government is taking qualifies under one of the above exemptions.

If you want a hearing, you must notify the court within 20 days after receipt of the notice. Your request must be in writing.

If you wish, you may use this notice to request the hearing by completing the attached Request for Hearing Form. You must either mail it or deliver it in person to the Clerk of the United States District Court at the Federal Courthouse, . You must also send a copy of your request to the United States Attorney at 970 Broad Street, 7th Floor, Newark, NJ 07102, so the

Government will know you want a hearing.

The hearing will take place within 5 days after the Clerk receives your request, if you ask for it to take place that quickly, or as soon after that as possible.

At the hearing you may explain to the judge why you think you do not owe the money to the Government. If you do not request a hearing within 20 days of receiving this notice, your property may be sold at public auction and the proceeds of the sale paid on the debt you owe the Government.

If you think you live outside the Federal judicial district in which the court is located, you may request, not later than 20 days after you receive this notice, that this proceeding to take your property be transferred by the court to the Federal judicial district in which you reside. You must make your request in writing, and either mail it or deliver it in person to the Clerk of the District Court at the Federal Courthouse, . You must also send a copy of your request to the United States Attorney at 970 Broad Street, 7th Floor, Newark, NJ 07102, so the Government will know you want the proceeding to be transferred.

Be sure to keep a copy of this notice for your own records. If you have any questions about your rights or about this procedure, you should contact a lawyer, an office of public legal assistance, or the clerk of the court. The clerk is not permitted to give legal advice, but can refer you to other sources of information.

WILLIAM T. WALSH  
CLERK, U.S. DISTRICT COURT

By:



Deputy Clerk